

REMARKS

This application has been reviewed in light of the Office Action dated May 17, 2006. Claims 2 and 5-13 are pending in the application. New claims 15-20 are added. Support for the amendments and new claims can be found throughout the specification and figures of the present disclosure and recite aspects of the disclosure that Applicant is believed to be entitled. Applicant submits that no new matter or issues are introduced by the amendments and new claims. Claims 1, 3 and 4 were previously cancelled without prejudice. Applicant reserves the right to prosecute the subject matter of any cancelled claims in continuing applications.

In the Office Action, Claims 6, 10 and 12 were objected to based on informalities. Appropriate correction was made to claims 6, 10 and 12. Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

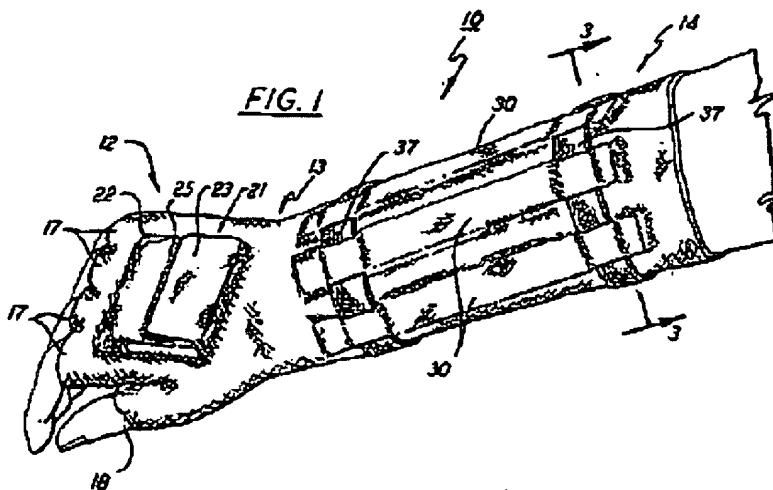
In the Office Action, at page 6, lines 4-5, the Examiner in consideration of Applicant's prior response, noted “[a]pplicant has not claimed that the weights encircle the wrist.” Accordingly, Applicant has amended independent claims 8 and 13 to include such language.

Turning to the rejection, in the Office Action, claims 2, 5-13 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 4,330,120 to Netti (Netti '120) in view of U.S. Patent No. 3,759,510 to Jackson, Jr. (Jackson '510).

Referring to FIG. 1 reproduced below, the Netti '120 patent shows a glove containing three sections: a hand section 12, a wrist section 13, and a forearm section 14 (col. 3, lines 19-21 of the Netti '120 specification). The glove includes weights strategically positioned, specifically, a weight 22 is contained in a pocket 20 of hand section 12 (col. 3, lines 41-60) and weights 31 are contained in pockets 30, which are disposed along the posterior of forearm section 14 (col. 3, lines 64-68 through col. 4, line 1). In contrast to Applicant's claimed invention, the Netti '120 patent does not disclose a device having a weight that encircles the wearer's wrist. The Netti '120 patent specifically

teaches away from such a configuration by requiring weights to be contained in pockets, which are positioned at the posterior of the forearm and at the back of the hand. This argument applies only to claims 8 and 13.

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Referring to Fig. 1, the Jackson '510 patent discloses an exercise garment 2 having weighted pockets 70/72 attached to armlets 8, at the posterior forearm, and along the back of the hand and fingers. (col. 2, lines 64-68 through col. 3, lines 1-55). In contrast to Applicant's claimed invention, the Jackson '510 patent does not disclose a device having a weight that encircles the wearer's wrist. The Jackson '510 patent specifically teaches away from such a configuration by requiring weights to be contained in pockets, which are positioned at the posterior of the forearm and at the back of the hand and fingers. This argument applies only to claims 8 and 13.

The Netti '120 patent and the Jackson '510 patent in no way disclose or suggest structure as recited in amended claims 8 and 13. The Jackson '510 patent does not cure the deficiencies of the Netti '120 patent in that the Jackson '510 patent and the Netti '120 patent do not disclose or suggest, *inter alia*, a device having a weight that encircles the wearer's wrist. This argument applies only to claims 8 and 13.

Because of the above distinctions, it is respectfully submitted that amended independent claims 8 and 13, and the other claims ultimately depending therefrom are patentable and not obvious over the Jackson '510 patent in any combination with the Netti '120 patent. Reconsideration and withdrawal of the rejections are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 2, 5-13 and 15-20 presently pending in the application are believed to be in condition for allowance and patentably distinguish over the art of record. An early notice thereof is earnestly solicited.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicant's undersigned attorney.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-0369. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-0369 therefor.

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Respectfully submitted,



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